United Nations A/59/233

General Assembly

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7 October 2004

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Fifty-ninth session

Request for the inclusion of an additional item in the agenda of the fifty-ninth session

Observer status for the Organisation of Eastern Caribbean States in the General Assembly

Letter dated 4 October 2004 from the Permanent Representative of Saint Lucia to the United Nations addressed to the President of the General Assembly

In accordance with rule 15 of the rules of procedure of the General Assembly I have the honour to request the inclusion of an additional item in the agenda of the fifty-ninth session of the General Assembly, entitled "Observer status for the Organisation of Eastern Caribbean States in the General Assembly".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum on the matter has been attached (see annex I), as well as a draft resolution (see annex II).

I have the further honour to request that the present letter and its annexes be circulated as a document of the General Assembly.

(*Signed*) Anthony B. **Severin**
Ambassador
Permanent Representative of Saint Lucia

04-54145 (E) 081004

Annex I to the letter dated 4 October 2004 from the Permanent Representative of Saint Lucia to the United Nations addressed to the President of the General Assembly

Explanatory memorandum: Organisation of Eastern Caribbean States

The Organisation of Eastern Caribbean States (OECS) was established by the Treaty of Basseterre in 1981. OECS comprises nine members, namely, Antigua and Barbuda, Anguilla, the British Virgin Islands, Dominica, Grenada, Montserrat, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines. OECS is an international organization, and it has been duly registered with the United Nations pursuant to Article 102 of the Charter of the United Nations.

The main purposes of OECS are to promote cooperation, unity and solidarity among its members and to defend their sovereignty, territorial integrity and independence; to assist its members in the realization of their obligations and responsibilities to the international community; to seek to achieve the fullest possible harmonization of foreign policy among it members; and to promote economic integration among its members.

In keeping with this framework of cooperation, OECS has undertaken a number of initiatives. Members have also adopted a development charter and strategy and have agreed to work towards an economic union. In so doing, focus has been given to trade liberalization, taking into account the regional and international obligations of members. Attention is also being given the human and social development, judicial and legal reforms, agricultural reform, education reform and telecommunications reform. Poverty alleviation and the development of an efficient social service delivery system has also informed the regional agenda. Members of OECS are also very concerned about the HIV/AIDS pandemic and are engaged in a number of initiatives to address this problem, along with other health issues. A comprehensive regional strategy is also being implemented to ensure the proper sustainable development and management of resources. This framework has been articulated through the St. George's Declaration. Regional cooperation is also evident in the strengthening of air and sea ports services and the development of a regional tourism project. Members of OECS are also of the view that a secure environment is an important component of economic, social and political development. Consequently, they are committed to meeting their international, regional and domestic security obligations.

With the concerted efforts of its members, the Organisation of Eastern Caribbean States provides an effective cooperation mechanism for enhancing the economic and social development of its members, supported by good governance practices and respect for human rights, with due regard to the role of international law as a standard of conduct in the relationship between States.

Annex II to the letter dated 4 October 2004 from the Permanent Representative of Saint Lucia to the United Nations addressed to the President of the General Assembly

Draft resolution

Observer status for the Organisation of Eastern Caribbean States in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the Organisation of Eastern Caribbean States,

1. *Decides* to invite the Organisation of Eastern Caribbean States to participate in the sessions and work of the General Assembly in the capacity of Observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

United Nations A/59/234

General Assembly

Distr.: General
13 October 2004

Original: English

Fifty-ninth session

Request for the inclusion of an additional item in the agenda of the fifty-ninth session

Observer status for the South Asian Association for Regional Cooperation in the General Assembly

Letter dated 12 October 2004 from the representatives of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka to the United Nations addressed to the Secretary-General

In accordance with rule 15 of the rules of procedure of the General Assembly, we have the honour to request the inclusion in the agenda of the fifty-ninth session of the General Assembly of an additional item entitled "Observer status for the South Asian Association for Regional Cooperation in the General Assembly".

An explanatory memorandum (annex I) in support of the above request and a draft resolution (annex II) are attached to the present letter, in accordance with rule 20 of the rules of procedure of the General Assembly.

We further have the honour to request that the present letter be circulated as a document of the General Assembly.

(*Signed*) Iftekhar Ahmed **Chowdhury**
Permanent Representative of the People's Republic of Bangladesh

(*Signed*) Daw **Penjo**
Permanent Representative of the Kingdom of Bhutan

(*Signed*) Nirupam **Sen**
Permanent Representative of India

(*Signed*)Mohamed **Latheef**
Permanent Representative of the Republic of Maldives

(*Signed*) Murari Raj **Sharma**
Permanent Representative of the Kingdom of Nepal

(*Signed*) Munir **Akram**
Permanent Representative of the Islamic Republic of Pakistan

(*Signed*) Bernard Anton Bandara **Goonatilleke**
Chargé d'affaires of the Permanent Mission of the
Democratic Socialist Republic of Sri Lanka

04-55651 (E) 181004

Annex I

Explanatory memorandum

South Asian Association for Regional Cooperation

1. The South Asian Association for Regional Cooperation (SAARC) representing the seven countries of South Asia, namely, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka, was launched with the adoption of its Charter at the first-ever summit meeting of the South Asian Heads of State or Government in Dhaka in December 1985.

2. The objectives of the Association as enunciated in its Charter are as follows:

- To promote the welfare of the peoples of South Asia and to improve their quality of life
- To accelerate economic growth, social progress and cultural development in the region and to provide all individuals the opportunity to live in dignity and to realize their full potential
- To promote and strengthen collective self-reliance among the countries of South Asia
- To contribute to mutual trust, understanding and appreciation of one another's problems
- To promote active collaboration and mutual assistance in the economic, social, cultural, technical and scientific fields
- To strengthen cooperation with other developing countries
- To strengthen cooperation among themselves in international forums on matters of common interests
- To cooperate with international and regional organizations with similar aims and purposes.

3. Regional cooperation among the States members of the Association is governed by the following principles as contained in its Charter:

- Cooperation within the framework of the Association is based on respect for the principles of sovereign equality, territorial integrity, political independence, non-interference in the internal affairs of other States and mutual benefit
- Such cooperation is to complement and not substitute for bilateral or multilateral cooperation
- Such cooperation should be consistent with the bilateral and multilateral obligations of member States.

4. The highest authority of the Association rests with the SAARC Heads of State or Government who meet annually at the summit level. To date, 12 Summits have been held: Dhaka (1985), Bangalore (1986), Kathmandu (1987), Islamabad (1988), Malé (1990), Colombo (1991), Dhaka (1993), New Delhi (1995), Malé (1997), Colombo (1998), Kathmandu (2002) and Islamabad (2004).

5. Comprising the Ministers for Foreign Affairs of SAARC member States, the Council of Ministers is responsible for formulating the policies of the Association; reviewing the progress of regional cooperation; deciding on new areas of cooperation; establishing additional mechanisms as deemed necessary; and deciding on other matters of general interest to the Association. The Council, which reports to the Heads of State or Government, is expected to meet twice a year and may also meet in extraordinary sessions by agreement among member States. It has held 24 regular sessions so far. Informal meetings of the Council are also held on the sidelines of the sessions of the United Nations General Assembly in New York.

6. The Standing Committee consisting of the Foreign Secretaries of SAARC member States is entrusted with the task of overall monitoring and coordination of programmes; approving projects and programmes, and modalities of their financing; determining intersectoral priorities; mobilizing regional and external resources; and identifying new areas of cooperation. It meets as often as deemed necessary and reports to the Council of Ministers. It has to date held 29 regular sessions and 4 special sessions. The Standing Committee is assisted by the Programming Committee comprising senior officials of member States and has held 24 sessions to date.

7. At present, seven Technical Committees pursue regional cooperation in the identified areas. The areas covered by these Technical Committees include agriculture and rural development (including livestock and fisheries); health and population activities (including nutrition and drug-related issues); women, youth and children; environment and forestry; science and technology, and meteorology; human resources development (including education, skill development, arts, culture and sports); and transport (including land, water, railway and civil aviation). Besides, five Working Groups have been established in the agreed areas covering telecommunications, and information and communication technology; biotechnology; intellectual property rights (including traditional knowledge); tourism; and energy.

8. Poverty alleviation has been declared as the overarching goal of all SAARC activities. An Independent South Asian Commission on Poverty Alleviation reconstituted by the Eleventh SAARC Summit (2002) continues to play an advocacy role and is poised to prepare a comprehensive and realistic blueprint setting out SAARC development goals for the next five years in the areas of poverty alleviation, education, health and environment based on its report, entitled "Our future: our responsibility", which it presented to the Twelfth SAARC Summit (2004). A Plan of Action on Poverty Alleviation approved by the Twelfth SAARC Summit (2004) is currently under implementation.

9. The Committee on Economic Cooperation comprising Commerce Secretaries of SAARC member States oversees regional cooperation in the economic sector. The Committee has so far held 11 meetings. Periodic meetings of SAARC Commerce Ministers formulate policy guidelines to promote cooperation in the field. Consultations among member States in this area have culminated in the signing of Agreements on SAARC Preferential Trading Arrangement (1993) and the South Asian Free Trade Area (2004). A Committee of Experts is now working to fully realize the South Asian Free Trade Area, which is to come into force on 1 January 2006.

10. The Eleventh SAARC Summit (2002) agreed to the vision of a phased and planned process eventually leading to a South Asian Economic Union (SAEU). The Twelfth SAARC Summit (2004) has since reiterated the Association's commitment to SAEU through creation of a suitable political and economic environment in the region.

11. Since the establishment of the Association, a number of ministerial-level meetings have been held to focus on specific areas of common concern to its member States. These meetings have now become an integral part of the Association's consultative structure. The subjects so far covered by these meetings include trade and commerce; international economic issues; children; women's issues; health; environment; disabled persons; youth; poverty alleviation; housing; agriculture; tourism; information; communications; and culture.

12. The States members of the Association have signed the following regional agreements and conventions: Agreement on Establishing the SAARC Food Security Reserve (1987); Regional Convention on Suppression of Terrorism (1987); Regional Convention on Narcotic Drugs and Psychotropic Substances (1990); Agreement on SAARC Preferential Trading Arrangement (1993); SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002); SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia (2002); Agreement on the South Asian Free Trade Area (2004); Additional Protocol to the SAARC Regional Convention on Suppression of Terrorism (2004); and SAARC Social Charter (2004).

13. The Association has to its credit five regional centres established in different SAARC capitals, namely, the SAARC Agricultural Information Centre (Dhaka); SAARC Tuberculosis Centre (Kathmandu); SAARC Meteorological Research Centre (Dhaka); SAARC Documentation Centre (New Delhi); SAARC Human Resource Development Centre (Islamabad). In addition to these, the Twelfth SAARC Summit (2004) has given the go-ahead for the establishment of three more regional centres in member States: SAARC Information Centre (Kathmandu); SAARC Coastal Zone Management Centre (Malé); and SAARC Cultural Centre (Colombo).

14. A SAARC-Audio Visual Exchange (SAVE) Committee established under the auspices of the Association disseminates information about it and its member States through regular radio and television programmes.

15. The Association has instituted two awards, namely, the SAARC Youth Award and the SAARC Award, catering respectively to the youth and the nationals and institutions of its member States excelling in the fields of research and innovations, peace, development, poverty alleviation and other areas of regional cooperation. In addition, a SAARC Internship Programme is in place to enable South Asian scholars and researchers to undertake studies about the Association and its activities.

16. Besides the official-level cooperation among its member States, the Association promotes regional cooperation in the private sector as well. With this end in view, the Association grants recognition to civil society groups under two categories: Regional Apex Bodies and SAARC Recognized Bodies. The former category of professional bodies so far recognized by the Association includes the SAARC Chamber of Commerce and Industry (SCCI), SAARCLAW and South Asian Federation of Accountants, while the latter embodies regional associations

like the SAARC Federation of University Women; Association of Management and Development Institutions; South Asian Association for Regional Cooperation of Architects; SAARC Cardiac Society; SAARC Association of Town Planners; Federation of State Insurance Organizations of SAARC Countries; SAARC Diploma Engineers' Forum; Radiological Society of SAARC Countries; SAARC Teachers' Federation; SAARC Surgical Care Society; Foundation of SAARC Writers and Literature; and SAARC Association of Dermatologists, Venereologists and Leprologists.

17. The Association's Secretariat is based in Kathmandu and is headed by the Secretary-General, who is appointed by the Council of Ministers upon nomination by a member State on the basis of the principle of rotation in alphabetical order.

18. In accordance with the Charter objective, the Association promotes collaboration with other regional and international organizations, many of which belong to the United Nations system. The Association has so far entered into agreements/memorandums of understanding with the United Nations Conference on Trade and Development; United Nations Children's Fund; Asia Pacific Telecommunity; Economic and Social Commission for Asia and the Pacific; United Nations Development Programme; United Nations Office on Drugs and Crime; European Commission; International Telecommunication Union; Canadian International Development Agency; World Health Organization; United Nations Development Fund for Women; and Physikalisch-Technische Bundesanstalt. Following the directive of the Twelfth SAARC Summit (2004) to develop mutually beneficial links between SAARC and other regional and international organizations, bodies and States outside the region, the Association is all set to pursue collaborative activities and where applicable to sign partnership agreements/memorandums of understanding with organizations like the World Bank; Food and Agriculture Organization of the United Nations; United Nations Environment Programme; South Asia Cooperative Environment Programme; Asian Disaster Preparedness Centre; Association of Southeast Asian Nations; United Nations Programme on HIV/AIDS; Asian Development Bank; United Nations Industrial Development Organization; and United Nations Population Fund.

19. Since 1997, the Association has been holding interactive sessions at the ministerial level with the European Union and ASEAN on the sidelines of the sessions of the General Assembly in New York. The SAARC Foreign Ministers also meet informally during the General Assembly sessions. The Association is currently working on the possibility of convening an informal meeting of the Foreign Ministers of SAARC and the Gulf Cooperation Council countries on the sidelines of the General Assembly session in September 2004, which is also expected to be a regular event in the years ahead. Besides, availing himself of the opportunity of his presence in New York during General Assembly sessions, the Secretary-General of SAARC meets senior officials of the United Nations and heads of United Nations agencies there.

20. As is evident from the above, SAARC has institutional arrangements for cooperation with a number of United Nations agencies. However, with the United Nations itself, no such arrangement is in place. In order to redress this lacuna experienced by the Association, the SAARC Council of Ministers, at its twenty-fourth session, preceding the Twelfth SAARC Summit in Islamabad in January 2004, authorized the Secretary-General to immediately initiate the necessary process

of obtaining observer status with the United Nations, enabling the General Assembly, at its fifty-ninth session in September/October 2004, to take a decision on the matter.

21. SAARC is convinced that attaining observer status with the United Nations will enhance its profile as a regional association in the international community. Moreover, such status will not only act as an incentive to strengthen the existing collaboration between SAARC and United Nations agencies but will also qualify the former for an advantageous working relationship with the latter in the years ahead. Besides, such an arrangement is expected to facilitate the Association's own participation in and its interactions with other regional and international organizations during the sessions of the General Assembly in New York.

Annex II

Draft resolution

Observer status for the South Asian Association for Regional Cooperation in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the South Asian Association for Regional Cooperation,

1. *Decides* to invite the South Asian Association for Regional Cooperation to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

United Nations A/59/235

General Assembly

Distr.: General
14 October 2004
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Fifty-ninth session

Request for the inclusion of an additional item in the agenda of the fifty-ninth session

Andean Zone of Peace

Letter dated 12 October 2004 from the Permanent Representatives of Bolivia, Colombia, Ecuador, Peru and Venezuela to the United Nations addressed to the Secretary-General

On behalf of the Permanent Representatives of the member countries of the Andean Community — Bolivia, Colombia, Ecuador, Peru and Venezuela — and in accordance with rule 15 of the rules of procedure of the General Assembly, I have the honour to request the inclusion of an additional item in the agenda of the fifty-ninth session of the General Assembly entitled "Andean Zone of Peace" for consideration in the General Assembly.

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum on the matter (annex I), a copy of the Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace, adopted on 12 July 2004 by the Heads of State of the member countries of the Andean Community (annex II) and the relevant draft resolution have been attached.

(*Signed*) Oswaldo **de Rivero**
Ambassador
Permanent Representative of Peru

(*Signed*) Ernesto Aranibar **Quiroga**
Ambassador
Permanent Representative of Bolivia

(*Signed*) María Angela **Holguín**
Ambassador
Permanent Representative of Colombia

04-55670 (E) 191004 191004

(*Signed*) Luis Gallegos **Chiriboga**
Ambassador
Permanent Representative of Ecuador

(*Signed*) Fermín **Toro Jiménez**
Ambassador
Permanent Representative of Venezuela

Annex I

Explanatory memorandum

Andean Zone of Peace

The Andean Zone of Peace was established on 12 July 2004 at the fifteenth Meeting of the Andean Presidential Council held in Quito, Ecuador. The Andean Zone of Peace is based on the promotion of relations of friendship and cooperation for all-round development, the culture of peace, efforts to prevent and combat threats to security and the quest for a fairer and more equitable international order for the Andean countries.

The Andean Zone of Peace covers the geographical area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela.

Background

The Andean Zone of Peace constitutes the consolidation of different regional and subregional security initiatives such as the Andean Agreement on Peace, Security and Cooperation contained in the Galapagos Declaration of December 1989; the Lima Commitment: Andean Charter for Peace and Security signed on 17 June 2002; the Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects of June 2003; and Decision 587 of July 2004 establishing the Andean Common External Security Policy Guidelines.

Proposal

The Andean countries consider it of the utmost importance to secure international recognition of and support for this initiative, which is being presented in a very unique international context of increasing armed conflicts and terrorist threats. The establishment of a zone free of weapons of mass destruction and anti-personnel mines, where the United Nations Programme of Action on Small Arms and Light Weapons, among other measures, will be effectively implemented, constitutes a concrete contribution to the strengthening of international peace, security and trust, as well as to the principles and purposes of the Charter of the United Nations and international law.

Annex II

Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace

The Presidents of Bolivia, Colombia, Ecuador, Peru and Venezuela, gathered in Quito, Ecuador, within the framework of the fifteenth Andean Presidential Council,

Inspired by the Cartagena Agreement, which reflects the shared resolve to pursue the historic task of integrating our nations, and by the principles governing international relations as laid down in the Charters of the United Nations and the Organization of American States,

Convinced that the Andean integration process has made valuable contributions to the maintenance of peace in the subregion and the development of our nations, through institution-building, growing economic and commercial exchanges and a joint search for better terms of participation on the international stage,

Convinced that the strengthening and deepening of Andean integration require intensified cooperation in all areas and the consequent development of community institutions, leading to greater knowledge, trust, solidarity and fraternity among our nations,

Recognizing that peace and security are essential conditions for attaining higher levels of political, economic, social and cultural development in our countries, and that they consequently constitute objectives which are intrinsic to the Andean integration process,

Certain that the full realization of democracy and the rule of law are the best guarantee of peace,

Bearing in mind that an inherent element of the strengthening and consolidation of democracy is the shaping of fair societies in which human development is encouraged and poverty, social exclusion and unfairness are overcome,

Recognizing that justice and social cohesion, human development and cooperation for integral development are necessary for the stability of the States which compose the Andean Community,

Recalling the "Galapagos Declaration: Andean Agreement on Peace, Security and Cooperation",

Also bearing in mind the "Lima Commitment: Andean Charter for Peace and Security and for the Limitation and Control of Foreign Defence Spending", signed by the Foreign and Defence Ministers of the member countries of the Andean Community,

Reaffirming the content of the Andean Charter for the Promotion and Protection of Human Rights,

Welcoming the adoption of the Andean Common External Security Policy Guidelines, which constitute a milestone in the development of political cooperation within the Andean integration process,

Determined to pursue further within the Andean Community the very important step taken by the South American Presidents at the Guayaquil summit, when they declared a South American Zone of Peace and Cooperation,

Convinced of the urgent need to establish a Zone of Peace in the Andean Community which will encourage the strengthening of democratic institutions and promote security and mutual trust, as well as the balanced and harmonious development of the member countries, in order to achieve sustained improvement in the quality of life of the inhabitants of the subregion,

Hereby agree as follows:

1. To establish a Zone of Peace in the Andean Community, within the geographical area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela, as a zone free of nuclear, chemical and biological weapons, in which the necessary conditions will be developed to permit the peaceful and agreed solution of conflicts of any nature whatsoever, as well as the causes thereof.

2. To declare that the Andean Zone of Peace is based on the responsible exercise by citizens of, and the full realization of, democratic values, principles and practices, the rule of law, human rights, social justice, human development, national sovereignty and non-interference in each country's internal affairs. It is also based on Andean identity, the promotion of relations of friendship and cooperation for all-round development, and the culture of peace, as well as joint efforts to prevent and counteract both conventional and new threats to security, and the joint quest for a fairer and more equitable international order.

3. To state that the Andean Zone of Peace represents a continuous and participatory effort, aimed at promoting growing commonality between Governments, public opinion, political parties and civil society, with regard to objectives and values, such as those mentioned herein, that are widely shared.

Objectives

1. To contribute to the development and strengthening of democratic values, principles and practices and, among them, the development and strengthening of the political and institutional systems of the member countries and the region as a whole, in a context of justice, unity and social equity.

2. To ensure compliance with the prohibition on the use or threat of use of force among the member countries.

3. To encourage, within the Andean Community, the prevention of conflicts of any nature whatsoever, and their peaceful solution.

4. To contribute to international disarmament and the effective prohibition of weapons of mass destruction — nuclear, chemical, biological and toxin weapons — and their passage through the subregion, as well as the final eradication of anti-personnel mines, in accordance with international instruments in force.

5. To create the necessary conditions to overcome the problems that have a negative impact on the all-round development of our societies.

6. To contribute to the strengthening of international peace, through the development of the South American Zone of Peace, on the basis of a democratic, cooperative and non-offensive conception of security.

Guidelines

1. To define a general framework of principles and options by means of which the parties directly involved in any dispute that does not fall within the competence of the judicial bodies of the Andean Integration System may find a solution thereto.

2. To promote the design and implementation of an Andean programme of confidence-building and security-building measures, taking into account the progress achieved in the development of cross-border relations between the member countries, and in the implementation of the provisions of the Lima Commitment, the Declarations of Santiago and San Salvador and the Miami Consensus.

3. To develop a standardized methodology for the preparation of white papers on defence, taking into account the knowledge and experience accumulated in the region.

4. To encourage participation by the Andean countries in peacekeeping operations, under the authority of the United Nations.

5. To implement the Andean Common External Security Policy Guidelines, through the full implementation of Decision 505 entitled "Andean plan for cooperation to combat illegal drugs and associated crimes", and Decision 552 entitled "Andean Plan to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects", as well as other instruments.

6. To develop and extend legal, police and judicial cooperation, for the purpose of contributing to the creation of a common space for public security and justice.

7. To encourage the inculcation of a culture of peace, with a view to peaceful coexistence within the Andean Community.

8. To promote the implementation of the community policy on integration and border development, in order to prevent the appearance of tensions that may threaten peace and security in the community.

9. To encourage convergence and the consolidation of progress made in the development of the Andean Zone of Peace, through full implementation of the Common Security Policy Guidelines, with other community policies and efforts in the fields of social development, environmental management and biodiversity, as well as human rights.

10. To encourage initiatives aimed at the development and consolidation of the South American Zone of Peace and Cooperation, as well as the hemispheric and global architecture of the common security system.

Signed in the city of Quito, Ecuador, on this 12th day of July 2004.

Carlos D. **Mesa Gisbert**
President of the Republic of Bolivia

Álvaro **Uribe Vélez**
President of the Republic of Colombia

Lucio **Gutiérrez Borbúa**
President of the Republic of Ecuador

Alejandro **Toledo Manrique**
President of the Republic of Peru

Hugo R. **Chávez Frías**
President of the Bolivarian Republic of Venezuela

Annex III

Draft resolution

Andean Zone of Peace

The General Assembly,

Aware of the determination of the peoples of the States that comprise the Andean Community to preserve their independence, sovereignty and territorial integrity, promote peaceful coexistence in the Andean region and develop their relations in conditions of peace, self-determination and freedom,

Bearing in mind the commitment of the peoples of the States that comprise the Andean Community to promote political, economic, social and cultural integration and cooperation in order to contribute to the sustainable long-term peace, security and balanced and harmonious development of the Andean region,

Recalling its resolution 58/137 of 5 August 2004 that reaffirmed the central role of the United Nations in the maintenance of international peace and security and the promotion of international cooperation,

Recognizing the Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace, adopted on 12 July 2004 by the Heads of State of the member countries of the Andean Community in Quito, Ecuador within the framework of the fifteenth Meeting of the Andean Presidential Council, for the purpose of establishing a zone of peace within the geographic area comprising the territories, airspace and waters under the sovereignty and jurisdiction of Bolivia, Colombia, Ecuador, Peru and Venezuela, as a zone free of nuclear, chemical and biological weapons as well as anti-personnel mines, in which the necessary conditions will be developed to permit the peaceful and agreed solution of conflicts of any nature whatsoever, as well as the causes thereof,

Noting with satisfaction that the Andean Zone of Peace is based on the responsible exercise by citizens of democratic values, principles and practices, the rule of law, human rights, social justice, human development, poverty eradication, social exclusion and inequity, national sovereignty and non-interference in internal affairs, as well as on Andean identity, the promotion of relations of friendship and cooperation for all-round development, the culture of peace, as well as joint efforts to prevent and counteract both combat-conventional and new threats to security, and the joint quest for a fairer and more equitable international order,

Stressing that the Andean Zone of Peace represents a continuous and participatory effort of the peoples of the States that comprise the Andean Community aimed at promoting growing commonality between Governments, public opinion, political parties and civil society, with regard to widely shared objectives and values,

Further stressing the progress achieved by the States that comprise the Andean Community in matters of security, peace and confidence-building on the basis of a democratic and non-offensive conception of external security through the adoption of the Andean Common External Security Policy Guidelines in July 2004, as well as of other Andean norms to promote cooperation and coordination of initiatives for fostering efforts to combat the global problem of drugs and associated crimes, and

to prevent, combat and eradicate the illicit trade in small arms and light weapons in all is aspects,

Noting that the Andean plan to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects adopted in June 2003 is the first binding subregional instrument derived from the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects[1] adopted in 2001,

Considering that peace, security and mutual trust are essential requirements for achieving the sustainable and long-term political, economic, social and cultural development of their peoples,

Persuaded of the need to contribute to the maintenance of the Andean Community as a region free of weapons of mass destruction — nuclear, chemical, biological and toxic — as well as the definitive eradication of anti-personnel mines,

Recognizing the importance of promoting peace, security and cooperation in the Andean Community for the benefit of the entire human race, including of its peoples,

Convinced that the establishment of the Andean Zone of Peace will contribute considerably to the strengthening of international peace, security and trust, as well as to the promotion of the principles and purposes on which the Charter of the United Nations and international law are based,

1. *Welcomes with particular satisfaction* the Declaration of the Andean region, particularly the geographic area comprising the territories, airspace and waters under the sovereignty and jurisdiction of the States that comprise the Andean Community, as "Andean Zone of Peace";

2. *Calls upon* all States to cooperate with the States that comprise the Andean Community in promoting the principles and purposes provided for by the Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace;

3. *Encourages* the States that comprise the Andean Community to make every effort to ensure the early fulfilment of the commitments arising from that Declaration.

[1] See report on the United Nations Conference on the Illicit Traffic in Small Arms and Light Weapons in All its Aspects, New York, 9 to 20 July 2001 (A/CONF.192/15 and Corr.1) chap. IV, para. 24.

United Nations A/59/236

General Assembly

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14 October 2004

Original: English

Fifty-ninth session

Request for the inclusion of an additional item in the agenda of the fifty-ninth session

The situation in the occupied territories of Azerbaijan

Letter dated 14 October 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the President of the General Assembly

Upon the instructions of my Government and in accordance with rule 15 of the rules of procedure of the General Assembly, I have the honour to request the inclusion of an additional item in the agenda of the fifty-ninth session of the General Assembly, entitled "The situation in the occupied territories of Azerbaijan".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum on the matter has been attached (see annex).

I have the further honour to request that the present letter and its annex be urgently circulated as a document of the General Assembly.

(*Signed*) Yashar **Aliyev**
Permanent Representative

04-55590 (E) 181004

Annex

Explanatory memorandum

The ongoing conflict in and around the Nagorny Karabakh region of the Republic of Azerbaijan has resulted in the occupation of a significant part of Azerbaijan's territory and the expulsion of a large portion of its population and severe damage to the national economy.

The Security Council has adopted four resolutions — 822 (1993), 853 (1993), 874 (1993) and 884 (1993) — demanding the immediate, complete and unconditional withdrawal of the occupying forces from the occupied territories of Azerbaijan and the creation of necessary conditions for the return of displaced persons to their homes in security and dignity. Those provisions of the resolutions remain unimplemented.

The process for the peaceful settlement of the conflict on the basis of the norms and principles of international law is carried out under the auspices of the OSCE Minsk Group, but as yet no result has been achieved.

In the meantime, illegal activities are currently being carried out in the occupied territories of the Republic of Azerbaijan, in particular by transfer of settlers in order to create artificially a new demographic situation in those territories.

In view of the far-reaching implications of such activities, which constitute dangerous developments in the conflict and have a devastating impact on the negotiations, it is incumbent upon the General Assembly to deal with the question in all its aspects with a view to taking appropriate action to cease the occupation and reverse the illegal activities.

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General Assembly

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Fifty-ninth session

Request for the inclusion of an additional item in the agenda of the fifty-ninth session

The situation in the occupied territories of Azerbaijan

Letter dated 14 October 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the President of the General Assembly

Addendum

Add the following signatory:

(*Signed*) Umit **Pamir**
Permanent Representative of Turkey to the United Nations

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The situation in the occupied territories of Azerbaijan

Letter dated 14 October 2004 from the Permanent Representative of Azerbaijan to the United Nations addressed to the President of the General Assembly

Addendum

Add the following signatory:

(*Signed*) Umit **Pamir**
Permanent Representative of Turkey to the United Nations**

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* Reissued for technical reasons.
** On behalf of the Organization of the Islamic Conference in its capacity as Chairman.

04-55938* (E) 211004

United Nations A/59/237

General Assembly

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Fifty-ninth session

Request for the inclusion of an additional sub-item in the agenda of the fifty-ninth session

Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Note by the Secretary-General

1. By a letter dated 11 October 2004, a certified copy of which was forwarded to the attention of the Secretary-General under the cover of a letter dated 11 October 2004 from the President of the International Court of Justice, Judge and former President Gilbert Guillaume informed the President of the Court, pursuant to Article 13, paragraph 4, of the Statute of the Court, of his resignation as a member of the Court effective 11 February 2005. A vacancy in the Court will therefore occur on 11 February 2005.

2. Judge and former President Guillaume was elected a member of the Court on 14 September 1987 and was re-elected on 15 November 1990 and on 3 November 1999 for a term of office that will end on 5 February 2009. He was President of the Court from 7 February 2000 to 6 February 2003. He was also President of a special Chamber in two cases.

3. By a note dated 21 October 2004, the Security Council was informed of the occurrence of this vacancy in the Court.

4. The agenda of the fifty-ninth session of the General Assembly (A/59/251) does not contain a sub-item on election of members of the International Court of Justice. The Secretary-General therefore deems it necessary to add to the agenda of the fifty-ninth session of the Assembly, pursuant to rule 15 of the rules of procedure of the Assembly, under item 15, entitled "Elections to fill vacancies in principal organs", a sub-item entitled "Election of a member of the International Court of Justice".

04-56640 (E) 211004